IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 21663 of 2007(D)

PETITIONER:

T.S.RAGHAVAN, ARUN NIVAS,
CHERUTHITTAYIL, KARAMPALA, PANDALAM P.O.

BY ADV. SRI.K.R.RADHAKRISHNAN NAIR

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY, LOCAL SELFL GOVERNMENT (RA)DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE PANDALAM GRAMA PANCHAYAT, REPRESENTED BY ITS SECRETARY, PANDALAM GRAMA PANCHAYATH.

3. THE DISTRICT TOWN PLANNER, PATHANAMTHITTA.

4. THE CHIEF TOWN PLANNER, TRIVANDRUM.

R2 BY ADV. SRI.SIBY MATHEW, SC.
R1 BY SR. GOVERNMENT PLEADER (SRI.K.J. MOHAMMED ANZAR)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 21663 OF 2007 D

Dated this the 7th August, 2007

JUDGMENT

Petitioner challenges Ext.P6 dated 21.6.2007. It is an order alleging that there is violation of the various Building Rules and also as there is non-compliance with the safety requirements, the application of the petitioner seeking regularisation is rejected. One of the complaints of the petitioner is that he was not heard. Learned Government Pleader would submit that there is a power of review under sub-rule (1) of Rule 7 of the Unauthorised Construction Rules and he submits that if the petitioner moves a Review Petition within one week from today, the same will be taken up and considered on merits, after hearing the petitioner and the respondent Panchayat also. In such circumstances, the Writ Petition is disposed of recording the submission of the learned Government Pleader.

K. M. JOSEPH, JUDGE

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